



CSR Inquiry Assistance

Related Medlearn Matters Article #: MM3226

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MMA- Nurse Practitioners as Attending Physicians in the Medicare Hospice Benefit

Key Words

Nurse, Practitioner, Hospice, Hospice Benefit, Attending, Physician, GV, Modifier, Claims, NOE, CR3226, MM3226

Provider Types Affected

Nurse practitioners, hospices

Key Points

- Section 408 of the Medicare Prescription Drug Improvement and Modernization Act of 2003 (MMA) adds nurse practitioners to the definition of an attending physician for beneficiaries who have elected the hospice benefit.
- Beginning December 8, 2003, Medicare pays for services provided by nurse practitioners to Medicare beneficiaries who have elected the hospice benefit and have selected a nurse practitioner as their attending physician, with the exception of certifying the terminal illness with a prognosis of six months or less, if the illness runs its usual course.
- A physician will be required to certify the terminal illness and six-month prognosis.
- Hospice agencies will bill their Regional Home Health Intermediary (RHHI) for attending physician services performed by a nurse practitioner employed by or under contract to the hospice agency.
- Nurse practitioners providing attending physician services, who are not employed by or under contract with a hospice agency, will bill the Medicare Local Part B carrier.
- Medicare Local Part B carriers and intermediaries will pay for attending physician services rendered by nurse practitioners on or after December 8, 2003, at the lesser of actual charges or 85% of the physician fee schedule.
- Medicare carriers have been instructed to search for and reopen denied claims for professional services of nurse practitioners serving as the hospice beneficiary's attending physician that were billed with the GV modifier and where the services were furnished on or after December 8, 2003.
- Medicare carriers will not reopen claims where services were not billed with the GV modifier, unless the nurse practitioner brings such claims to the attention of the carrier.

- If preferred, the nurse practitioner can re-bill such services rendered on or after December 8, 2003, with the GV modifier in order to have the claims reprocessed.
- Regional Home Health Intermediaries (RHHs) will accept all claims for attending physician services performed by a nurse practitioner in a hospice on or after December 3, 2003.
- Hospice agencies are no longer required to submit copies of Notices of Election (NOE) to Medicare carriers.
- When billing Regional Home Health Intermediaries (RHHs), the hospice agency should continue submitting the NOEs to the RHHs.
- The implementation date for this instruction is as follows:
 - June 28, 2004 for providers who bill Local Part B carriers;
 - For providers billing intermediaries, use of the GV modifier is also to be implemented on June 28, 2004; and
 - October 4, 2004 for other intermediary requirements.

Important Links

<http://www.cms.hhs.gov/medlearn/matters/mmarticles/2003/MM3226.pdf>

http://www.cms.hhs.gov/manuals/pm_trans/R205CP.pdf